

in certain cases," and they find that the same is correctly engrossed.

SHEPARD, for Committee.

By leave, Senator Westfall presented the petition of Ezekiel Harrol, "asking for league and labor of land." Read first time and referred to Committee on Private Land Claims.

By leave, Senator Westfall presented the petition of L. McCoy, "asking for league and labor of land." Read first time and referred to Committee on Private Land Claims.

By leave, Senator Allison introduced a bill entitled "An Act to enforce the provisions of article twelve, section thirty-six, of the State Constitution." Read first time and referred to the Judiciary Committee.

By leave, Senator Russell introduced a bill entitled "An Act for the relief of the heirs of George W. Wheeler, for one-third league of land." Read first time and referred to Committee on Private Land Claims.

Senator Friend moved that two more Senators be appointed on the Engrossing Committee. Carried.

The President appointed Senators Joseph and Trolinger on said committee.

On motion of Senator Ellis, the Senate adjourned.

SEVENTY-THIRD DAY.

SENATE CHAMBER, }
Austin, April 10, 1874. }

Senate met pursuant to adjournment. Roll called ; quorum present.

Prayer by the chaplain.

On motion of Senator Swift, the reading of the journal of yesterday was dispensed with.

Senator Shepard presented a petition from citizens of Washington county, "asking the repeal and abolition of occupation taxes." Read first time and referred to Committee on Finance.

Senator Shepard presented the petition of citizens of Washington county, "alleging frauds in the registration of voters in said county, and asking relief." Read and referred to Committee on Privileges and Elections.

Report from the Committee on Counties and County Boundaries :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Counties and County Boundaries, to whom was referred House bill No. 48, "An Act to change a portion of the western boundary line of San Patricio county," instruct me to report the same back, with the recommendation that it do not pass.

CAMP, for Committee.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Counties and County Boundaries, to whom was referred House bill No. 48, "An act to reorganize Young county," instruct me to report the same back, with the recommendation that it do pass.

CAMP, for Committee.

Senator Randle, chairman Committee on Engrossed Bills, submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Engrossed Bills, beg leave to report that they have carefully examined and compared Senate bill No. 299, "An act to require the several sheriffs of this State to execute additional bonds in certain cases," and find the same correctly engrossed.

RANDLE, Chairman.

A message was received from the House, announcing the passage of House bill No. 179, "An act to create the county of Lee ;" also, House bill No. 388, "An act concerning private corporations."

Senator Erath, chairman Senate Committee of Conference, between the two Houses on the disagreement on Senate bill No. 160, "An act to reapportion the State of Texas into Congressional Districts," submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee of Conference, appointed to confer with a like committee from the House, in regard to the House amendments to Senate bill No. 160, "An act to reapportion the State of Texas into Congressional districts," have met the House committee in joint session, and it was agreed

by a majority of each and both committees, that the Senate should concur in the House amendments.

ERATH, Chairman Senate Committee.

McLEARY, for House Committee.

Senator Davenport moved the adoption of the report.

Senator Shepard moved to postpone the consideration of the report until Monday next, at 11 o'clock A. M.

During the discussion of the above motion, a message was received from the House, announcing that they were ready to receive the Senate in joint session, to hear and consider the causes set forth in the address against Judge S. B. Newcomb, of the Twenty-fifth Judicial District.

The President announced that the hour had arrived for special order, to-wit: to meet the House in joint session, to hear and consider the causes set forth in the address against Judge S. B. Newcomb, of the Twenty-fifth Judicial District.

Senator Ireland, chairman of the Select Joint Committee of the Senate, submitted the following privileged report:

Hon. R. B. Hubbard, President of the Senate:

The joint select committee of the Senate and House of Representatives, appointed to investigate supposed frauds against the State, during the sessions of the Twelfth Legislature, beg leave to report that said committee had a session on the ninth inst., and had before it Hon. James H. Bell; that the following question was propounded to said Bell, to-wit:

No. 1. "Do you know of any money or anything of a valuable character, being paid or given to any one in the State, or out of it, as an inducement to the passage of any bill or resolution by the Twelfth Legislature of this State?"

That the witness, after being duly sworn, said that all he knew in relation to the passage of the acts by the Twelfth Legislature concerning the Texas and Pacific Railway, had come to his knowledge after he had been retained as counsel for that corporation; and that he declined to answer the question. The committee, therefore, report these facts to the Senate, and ask that the Senate take such action as it sees proper.

IRELAND, for Senate Committee.

The Senate proceeded to the House.

IN JOINT SESSION.

The Speaker of the House announced the object of the joint session to be for the purpose of hearing and considering the causes set forth in the address against Judge S. B. Newcomb, of the Twenty-fifth Judicial District.

Representative Linn, of the House, chairman of the committee that investigated this case, stated that Colonel J. W. Robertson and Major W. M. Walton, of Travis county, would appear as attorneys on behalf of the State, and Governor G. W. Jones, of Bastrop, would appear as counsel for the respondent.

Governor Jones asked that the hearing of the case be continued, stating that the respondent had been unable to procure the witnesses he desired.

The President of the Senate and the Speaker of the House, after consultation, decided that the question of postponement was one that would have to be decided by each house separately; that the counsel could proceed to argue the motion for a continuance, and also the law and the facts; after which, the two houses would decide the same separately, in their respective bodies.

Col. J. W. Robertson, of Travis county, then proceeded to argue against the motion for a continuance, and also the law and facts of the case. At the conclusion of his remarks, Gov. Jones addressed the joint session, in behalf of the respondent. Pending his discussion, on motion of Senator Dillard, the Senators retired to the Senate Chamber.

IN SENATE.

On motion of Senator Stirman, the Senate adjourned to 3 P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment. Roll called; quorum present.

Senator Shepard, for Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills beg leave to report that they have carefully examined and compared Senate bill No. 328, "An Act to amend an act amendatory of an act to amend an act entitled 'An Act prescribing

the times of holding the district courts in the several judicial districts in the State," approved August 10, 1870, approved April 17, 1871, approved June 4, 1873; also, Senate bill No. 213, "An act to create a department of agriculture for the State of Texas; also, Senate bill No. 23, "An Act to expedite business in the district courts;" also, Senate bill No. 347, "An Act to amend section thirteen of an act entitled "An Act to incorporate the Galveston Bank and Trust Company," approved April 26, 1871; also, Senate substitute for House bill No. 100 and 320, "An Act to provide for the supplying of lost records in the several counties in this State;" also, substitute for Senate bill No. 182, "An Act to provide for the construction of toll-bridges;" also, Senate Joint Resolution No. 363, "Joint Resolution authorizing the Governor to employ counsel and prosecute any person, and to make an appropriation to defray the expenses in such prosecution;" also, Senate Joint Resolution No. 255, "Joint resolution awarding improved Winchester rifles, or other breech-loading guns, to certain parties:" and find each of them correctly engrossed.

SHEPARD, for Committee.

On motion of Senator Friend, the rules were suspended, to take up Senate substitute for Senate bill No. 306, "An Act better defining the powers and duties of sheriffs."

Senator Friend offered the following amendment: Amend section two, after the words "his own affidavit," in third line from end of the section, by striking out all after the said words, and inserting as follows: "or the affidavit of the credible person upon which the arrest was made, or that a felony has been committed or was about to be committed by the arrested party." Adopted.

On motion of Senator Friend, one hundred copies of the substitute and amendment were ordered printed.

By leave, Senator Russell introduced a bill, entitled "An Act to authorize the judge of the Twenty-fourth Judicial District to hold a special term of court in the county of Kinney." Read first time, rules suspended, bill read second time and ordered engrossed.

Rules suspended, bill read third time and passed.

House bill No. 388, "An Act concerning private corporations," was read first time and referred to Judiciary Committee.

House joint resolution No. 34, "Authorizing the Board on Public Printing to receive certain printing as therein

specified," was read first time and referred to Committee on Public Printing.

House bill No. 489, "An Act to extend the provisions of House bill No. 16, entitled 'An act to encourage stock raising and for protection of stockraisers, in the counties of Liberty, Orange, Chambers and Jefferson,'" was read first time and referred to Committee on Stock and Stock-raising.

On motion of Senator Ireland, the rules were suspended to take up House bill No. 221, "An Act to amend the fourth section of an act entitled 'An act to provide for the publication of the decisions of the Supreme Court, and the appointment of a reporter thereof,' approved November 12, 1866." Bill taken up and read second time. The amendments proposed by the committee reporting thereon, were adopted, and the bill, as amended, passed to third reading.

On motion of Senator Ireland, the rules were further suspended, bill read third time and passed.

By leave, Senator Morris introduced a bill entitled "An Act to authorize a special term of the district court in the county of Rains." Bill read first time. Rules suspended, bill read second time and ordered engrossed.

On motion of Senator Dillard, the rules were further suspended, bill read third time and passed.

A message was received from the House announcing that the House had passed Senate bill No. 316, "An Act making an appropriation for the salary of two of the associate judges of the Supreme Court;" also, that the House was now ready to receive the Senate in joint session, for the purpose of further hearing and considering the causes set forth in the address against Judge S. B. Newcomb, of the Twenty-fifth Judicial District.

The Senate proceeded to the House.

IN JOINT SESSION.

Governor Jones resumed his argument in behalf of the respondent. Pending his remarks, on motion of Senator Ireland, the joint session adjourned to 9 A. M. to-morrow.

The Senators retired to the Senate chamber.

IN SENATE.

(Senator Dillard in the chair.)

Senator Wood moved that the Senate stand adjourned. Lost by the following vote:

YEAS—Senators Davenport, Ellis, Erath, Joseph, Ledbetter, Morris, Moore, Trolinger and Wood—9.

NAYS—Senators Allison, Ball, Baker, Burton, Camp, Dillard, Dwyer, Friend, Hobby, Parker, Russell, Stirman and Westfall—13.

Senator Ellis moved a call of the Senate. Call sustained.

Absent—Senators Bradshaw, Culberson, Ireland, Randle and Shepard.

The sergeant-at-arms was instructed to bring in the absent Senators.

On motion of Senator Davenport, the call was suspended.

On motion of Senator Friend, the rules were suspended and Senate bill No. 253, "An Act to repeal an act to change the line between Burnet and Lampasas counties," approved June 2, 1873, was taken up. Bill read second time and ordered engrossed.

Senator Friend offered the following amendment :

"Add to the end of the caption the following words, and to define the boundaries between said counties." Adopted.

The bill as amended was then read third time and passed.

A message was received from the House announcing that the House adheres to its amendments to Senate substitute for House bill No. 6, "An Act to provide for payment of teachers of public free schools," and that they ask a committee of conference of the two houses on the said disagreement ; and that the House appointed as said committee, Representatives Kemble, Harrison, Stuart, of Falls, and German, as said committee on the part of the House.

On motion of Senator Dwyer, the rules were suspended to take up House bill No. 316, "An Act to legalize the acts of certain officers." Bill taken up, read second time and passed to third reading.

On motion of Senator Dwyer, the rules were further suspended, bill read third time and passed.

On motion of Senator Ball, the Senate stood adjourned.

SEVENTY-FOURTH DAY.

SENATE CHAMBER, }
Austin, April 11, 1874. }

Senate met pursuant to adjournment. Roll called ; quorum present.